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DEC 21 2004

PATENT CASE: AL0425KQ9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sequeira, et al

Serial No.: 10/763,143

Filed: 1/22/04

For: USE OF MOMETASONE
FUROATE FOR TREATING AIRWAY
PASSAGE AND LUNG DISEASES

Examiner: Clardy

Group Art Unit: 1616

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO OFFICE ACTION

Sir:

01/12/2005 GANTHONY 00000001 190365 10763143
 Sale Ref: 00000001 DAH: 190365 10763143
 01 FC:1814 130.00 DA
 The time for response to the Office Action of 10/06/04 expires on
 1/06/05. As this response is being filed prior to that date, it is not believed
 that any fees are due for any extensions of time. In the event that any fees
 are due, please charge any fees to Deposit Account No. 19-0365.

REMARKSDouble Patenting

Claims 1 and 30-38 have been rejected for obviousness type double patenting over U.S. Patent Nos. 6,723,713, 6,677,323, 6,677,322, 6,365,581, 6,057,307, 5,889,015, 5, 837,699, and provisionally rejected over co-pending Patent Application Serial No. 10/763,295 issued in the name of the same inventive entity and assigned to the same assignee as the above captioned case. Submitted herewith is a terminal disclaimer over the claims of those